

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: SEPTEMBER 13, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: WVR-23568 - APPLICANT/OWNER: COLEMAN-TOLL, LP

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-2184), Tentative Map (TMP-23567), and Vacation (VAC-if approved).
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Waiver to Title 18.12.160 to allow approximately 84 feet between street intersections where 220 feet is the minimum distance separation required adjacent to the southeast corner of Street and Drive. This Waiver is needed to accommodate the offset provide the entrance to a four-lot single-family residential subdivision.

The applicant indicates that the proposed entrance from Street would be compatible with the rural area and the limited scope of this project. Staff is recommending approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission and staff recommended approval on 09/26/02. The effective date of this annexation was 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 317.5 acres covering 68 separate parcels in the Cliff's Edge area, and approved the related Cliff's Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission and staff recommended approval on 02/13/03.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres covering 21 separate parcels in the Cliff's Edge area, and approved text modifications to the related Cliff's Edge Master Development Plan to address conditions of approval of ZON-1520. The Planning Commission and staff recommended approval on 06/12/03.
02/18/04	The Cliff's Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission and staff recommended approval on 01/08/04.

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06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliff's Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliff's Edge parent Tentative Map, as approved by the Planning Commission on March 11, 2004.
8/03/05	The City Council approved a Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan to change land use designations from: ML (Medium Low density residential) to: L (Low Density Residential) and RSL (Residential Small Lot); from: L (Low density residential) to: ML (medium low density residential); and from: RSL (Residential Small Lot) to: ML (Medium Low Density Residential); and to modify the following sections of the master development plan: sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the design guidelines as follows: section 3.1.1, 3.2.3b, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and exhibits 2, 7a,7b, 8a, 14a, 14b, 14c, 15 and 17 on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road
3/02/05	The City Council approved a Request for a Tentative Map for a 234-lot Single-Family Residential Subdivision and Waivers of Title 18.12.105 for a 350-foot private drive where a maximum of 200 feet is allowed and a Waiver of Title 18.12.160 for internal intersection offsets of approximately 84 feet and 104 feet where a minimum of 125 feet is required on 40.3 acres adjacent to the northwest corner of Elkhorn Road and Shaumber Road
11/16/05	The City Council approved a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan And Design Guidelines to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres including the subject site. The Planning Commission and staff recommended approval.
4/25/06	A Final Map for a 10-lot single-family residential subdivision on 4.28 acres adjacent to the west side Shaumber Road, north of Elkhorn Road was recorded as "Franklin Park at Providence Phase I". NOTE: This area IS NOT included with the proposed amended map request.
8/29/06	A Final Map for a 109-lot single-family residential subdivision on 16.60 acres adjacent to the west side Shaumber Road, north of Elkhorn Road was recorded as "Franklin Park at Providence Phase II". NOTE: This area IS INCLUDED with the proposed amended map request.
<i>Related Building Permits/Business Licenses</i>	
NA	Various permits have been pulled for the eight model homes and the related model home sales structures that make a portion of the excluded area.

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<i>Pre-Application Meeting</i>	
7/20/07	A pre-application meeting was held to discuss the requirements to amend an approved Tentative Map in the Cliff's Edge Master Planned Community, and the specifics of the related Waiver and Vacation requirements.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
8/9/07	<p>A field check was performed by the Planning and Development staff with the following observations:</p> <ul style="list-style-type: none"> Existing perimeter walls in compliance with the Cliff's Edge standards Eight model homes in the subdivision with a model homes sales structure. Noticeable grade change sloping downwards from west to east and from north to south.

DEVELOPMENT STANDARDS

Pursuant to Title 18.12.160, the following development standards apply:

<i>Intersections -- Length</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
External (intersections accessing external ROWs <60 Feet)	220 Feet	980 Feet	Y
Internal (intersections within subdivision)	125 Feet	84 Feet	N

<i>Waivers</i>		
<i>Request</i>	<i>Requirement</i>	<i>Staff Recommendation</i>
Waiver of Title 18.12.160: To allow 84 feet btw intersections	125 feet btw intersections	PW recommends approval

ANALYSIS

- Planning***

Previously, a Waiver was granted during the Tentative Map review for the that the increased private drive aisle lengths is necessary for the access to the rear entry garages, which are an integral part of the product design. Since the proposed drive aisles will have access from both directions and emergency services will have access to all lots via the subdivision's 37-foot wide private residential streets. Regarding the intersection offset requirements, the representative on behalf of the applicant states that this circumstance only occurs twice within the subdivision; one of the intersections has been modified with a median to deter improper traffic flow and the other is said to be located in a portion of the subdivision, which will not experience heavy traffic.

MH

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This application is a request for a Waiver in Title 18.12.160 of the Subdivision Ordinance to allow approximately 84 feet between street intersections where 125 feet is the minimum distance separation.

Specifically, Title 18.12.160 states:

“Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. *Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet.*”

Because this issue stems from the intersection offsets that were previously approved to accommodate the alleyways, staff recommends approval of this Waiver request.

- ***Public Works***

Public Works has no objection to the request for a Waiver of Title 18.12.160 to allow 84 feet between street intersections where 125 feet is the minimum distance separation required for property located on the northwest corner of Shaumber Road and Elkhorn Road

FINDINGS

In accordance with the provisions of Title 19.18.070(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 37

APPROVALS 0

PROTESTS 0